

UNITED STATES DISTRICT COURT

for

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Eastern District of Washington

Aug 27, 2018

SEAN F. McAVOY, CLERK

U.S.A. vs.

Fedele, Edward Wayne

Docket No. 0980 2:17CR00101-WFN-18

Petition for Action on Conditions of Pretrial Release

COMES NOW Linda J. Leavitt, PRETRIAL SERVICES OFFICER presenting an official report upon the conduct of defendant Edward Wayne Fedele, who was placed under pretrial release supervision by the Honorable U.S. Magistrate Judge John T. Rodgers sitting in the court at Spokane, Washington, on the 20th day of June 2017, under the following conditions:

Condition #1: The defendant shall not commit any offense in violation of federal, state or local law.

Condition #18: Refrain from any use of alcohol.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

(If short insert here; if lengthy write on separate sheet and attach)

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Violation #1: Edward Wayne Fedele is alleged to have committed and been charged with obstruction/false information resulting in arrest by Kootenai County Sheriff's Office on August 12, 2018 (Report # 18-35715).

Conditions of pretrial release were reviewed with Mr. Fedele by the District of Idaho on June 23, 2017. He acknowledged an understanding of his conditions which included condition number 1.

On August 12, 2018, this officer received an email from United States Probation Officer (USPO) Pierantoni with the District of Idaho advising the defendant was arrested earlier this morning for being intoxicated and giving false information to law enforcement. This officer requested a copy of the police report from Kootenai County Sheriff's Office and received the report on August 17, 2018. According to the incident report from Kootenai County Sheriff's Office, on August 12, 2018, officers responded to a night club named Stateline Showgirls after being waived down by a door manager at the club who advised a male had been causing trouble inside the club and was subsequently removed. The door manager requested the male be trespass from the property. Per the incident report, officers made contact with the male who was intoxicated and unable to stand or comprehend most of the basic instructions he was given. Officers also stated the male had a very strong odor of an alcoholic beverage coming from his breath and person, along with red, bloodshot eyes and slurred speech. The male refused all assistance from law enforcement and started walking away from the club. Per the report, officers remained across the street from the club and watched the male walk back onto the club parking lot and get into a Toyota Tundra truck and begin to drive off. Officers then pulled behind the Toyota Tundra and activated their emergency lights. They made contact with two occupants, one being the defendant as the passenger. Per the officer, he asked the defendant for his information to add him to the call. Per the report, the defendant provided the officer with the name Erick Wayne Finlay and a date of birth July 30, 1974, however, when the officer ran the information provided, it came back with no record in Idaho or Washington state. Per the officer, the defendant finally provided his true name and it was confirmed by his Idaho driver's license. When the officer asked the defendant why he provided false information he informed the officer he was on probation and did not want to get into trouble for drinking.

Violation #2: Edward Wayne Fedele is alleged to have consumed alcohol on or about August 12, 2018 (Report #18-35715).

Conditions of pretrial release were reviewed with Mr. Fedele by the District of Idaho on June 23, 2017. He acknowledged an understanding of his conditions which included condition number 18.

On August 17, 2018, this officer received a police report as written by Kootnei County Sheriff's Office (see summary of report noted above). In the report the officer states the defendant provided false information and stated the reason was because "he was on probation and did not want to get in trouble for drinking." On August 20, 2018, this officer requested further information from Kootnei County Sheriff's Office as in the report it was not clear if the defendant was intoxicated during the contact. On August 20, 2018, this officer requested additional information pertaining to the defendant's arrest regarding if the defendant was intoxicated when arrested on August 12, 2018. As of the submission of this report, no information has been received.

PRAYING THAT THE COURT WILL TAKE NO ACTION

I declare under the penalty of perjury
that the foregoing is true and correct.

Executed on: August 22, 2018

by s/Linda J. Leavitt

Linda J. Leavitt
U.S. Pretrial Services Officer

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THE COURT ORDERS

- No Action
- The Issuance of a Warrant
- The Issuance of a Summons
- The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- Defendant to appear before the Judge assigned to the case.
- Defendant to appear before the Magistrate Judge.
- Other



Signature of Judicial Officer

8/27/2018

Date